



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address : COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/629,547	04/09/96	TAKAHASHI	T ATS-032-CON/

RONALD P KANANEN
MARKS & MURASE
SUITE 750
2001 L STREET NW
WASHINGTON DC 20036

35M1/0623

EXAMINER	
LUONG, V	
ART UNIT	PAPER NUMBER
3502	11

DATE MAILED: 06/23/97


This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

1. ☒ The communication filed 3/17 & 5/20/97 is informal/non-responsive for the reason(s) checked below and should be corrected.
APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER OR UNTIL THE EXPIRATION OF THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION (WHICHEVER IS LONGER) WITHIN WHICH TO CORRECT THE INFORMALITY.

- a. ☐ The amendment to claim(s) _____, filed _____, fails to comply with the provisions of 37 C.F.R. 1.121 and is accordingly held to be non-responsive. A supplemental paper correcting the informal portions and complying with the rule is required.
- b. ☐ The paper is unsigned. A duplicate paper or ratification, properly signed, is required.
- c. ☐ The paper is signed by _____, who is not of record. A ratification or a new power of attorney with a ratification, or a duplicate paper signed by a person of record, is required.
- d. ☐ The communication is presented on paper which will not provide a permanent copy. A permanent copy, or a request that a permanent copy be made by the Office at applicant's expense, is required, see M.P.E.P. 714.07.
- e. ☒ Other See attached sheets.

2. ☐ In accordance with applicant's request, THE PERIOD FOR RESPONSE FROM THE OFFICE ACTION DATED _____ IS EXTENDED TO RUN _____ MONTH(S).
No further extension will be granted unless approved by the Commissioner. 37 C.F.R. 1.136 (b)
3. ☐ Receipt is acknowledged of papers submitted under 35 U.S.C. 119 which papers have been made of record in the file.
4. ☐ Other


VINH T. LUONG
PRIMARY EXAMINER
ART UNIT 352

Art Unit: 3502

1. The following is a quotation of the appropriate paragraphs of MPEP § 1411 and 37 CFR 1.121(a) and (e) that form the basis for the holding of informal/non-responsive amendments made in this Office action:

MPEP § 1411 Form of Specification

Cut-up soft copies of the original patent, with only a single column of the printed patent securely mounted on a separate sheet of paper, may be used in preparing the reissue specification and claims to be filed. *It should be noted, however, that amendments to the reissue application should not be prepared in this way. After filing, the specification and claims in the reissue application must be amended by either (1) submitting a copy of a portion of the description or an entire claim with all matter to be deleted from the patent being placed between brackets and all matter to be added to the patent being underlined, or (2) indicating the exact word or words to be stricken out or inserted and the precise point where the deletion or insertion is to be made must be specified in the amendment as provided in 37 CFR 1.121(e) and (a).* However, insertions or deletions to the patent specification or claims made prior to filing should be underlined or bracketed, respectively, as indicated in 37 CFR 1.173.

37 CFR § 1.121 Manner of making amendments

(a) Erasures, additions, insertions, or alterations of the Office file of papers and records must not be physically entered by the applicant. Amendments to the application (excluding the claims) are made by filing a paper (which should conform to § 1.52) directing or requesting that specified amendments be made. The exact word or words to be stricken out or inserted by said amendment must be specified and the precise point indicated where the deletion or insertion is to be made.

(e) *In reissue applications, both the descriptive portion and the claims are to be amended by either (1) submitting a copy of a portion of the description or an entire claim with all matter to be deleted from the patent being placed between brackets and all matter to be added to the patent being underlined, or (2) indicating the exact word or words to be stricken out or inserted and the precise point where the deletion or insertion is to be made. Any word or words to be inserted must be underlined. See § 1.173.*

2. The communication filed on May 20, 1997 and March 17, 1997 is informal/non-responsive to the prior Office action because it fails to comply with the provisions of 37 CFR 1.121 and MPEP 1411 *supra*. Since the response appears to be *bona fide*, but through an

Art Unit: 3502

apparent oversight or inadvertence failed to provide a complete response, applicant is required to complete the response within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is the longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 C.F.R. § 1.136(a) OR (b) BUT THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION MAY BE EXTENDED UP TO A MAXIMUM OF SIX MONTHS.

Applicant's Amendment filed on March 17, 1997 and Supplemental Amendment filed on May 20, 1997 fail to comply with the provisions of 37 CFR 1.121 and MPEP 1411 because:

(a) applicants substitute specification is formed by *cut-up soft copies of the original patent, with only a single column of the printed patent securely mounted on a separate sheet of paper*. See, e.g., pages 1-3 of the substitute specification filed on March 17, 1997; and

(b) applicant cannot amend the specification of an informal substitute specification. See pages 1-4 of the Supplemental Amendment filed on May 20, 1997.

Applicant is required to submit a new supplemental amendment incorporating the changes in both of the Amendment filed on March 17, 1997 and Supplemental Amendment filed on May 20, 1997 by *submitting a copy of a portion of the description of the specification or an entire claim with all matter to be deleted from the patent being placed between brackets and all matter to be added to the patent being underlined*.

Serial Number: 08/629,547

-4-

Art Unit: 3502

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Luong whose telephone number is (703) 308-3221. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 7:30 AM EST to 6:00 PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Charles Marmor, can be reached on (703) 308-2168. The fax phone number for this Group is (703) 305-3597 or (703) 305-3598.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

Luong

June 19, 1997

A handwritten signature in black ink, appearing to read 'Vinh T. Luong', with a long horizontal flourish extending to the right.

VINH T. LUONG
PRIMARY EXAMINER
ART UNIT 352